

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

NO. CV-13-5053-EFS

Plaintiff,

v.

RICHARD D. KEGLEY and WALLA WALLA
COUNTY

Defendants.

ORDER DENYING MR. KEGLEY'S MOTION
TO MODIFY THE COURT'S SUMMARY-
JUDGMENT ORDER

Defendant Richard Kegley asks the Court to set aside the Court's Order Granting Summary Judgment in the United States' favor as to Mr. Kegley, ECF No. 86, because the rulings therein violate Mr. Kegley's individual rights under the U.S. Constitution. Mr. Kegley seeks relief under Federal Rule of Civil Procedure 60(b)(1) and (6). Rule 60(b)(1) provides relief for mistakes of law, and Rule 60(b)(6) provides relief under extraordinary circumstances. See *Gonzales v. Crosby*, 545 U.S. 524, 535 (2005). The Court determines relief is unavailable under Rule 60. The arguments made by Mr. Kegley are the same arguments he has made during the pendency of the lawsuit; arguments the Court has found unsupported by statute and case law. The Court declines to modify or set aside its prior order or the related judgment.

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Accordingly, **IT IS HEREBY ORDERED:** Mr. Kegley's Motion to Modify the Court's Order of December 29, 2015, under Rule 60(b), **ECF No. 89**, is **DENIED**.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to counsel and Mr. Kegley.

DATED this 22nd day of January 2016.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge